

REMARKS

This application includes claims 1-41 and 43-73. Claims 1, 41, 44, 51, 53 are independent. Claim 73 is new. Claim 72 is withdrawn and claims 1, 18, 25, 29, 33-38, 41, 44, 47, 48, 51, 53, 64, 66 and 70 are amended herewith.

All the claims are subject to a 9-way election of species.

Applicant thanks the Examiner for an interview on July 8, 2010, in which the Examiner discussed the number and range of species and tentatively agreed that applicant may choose one species from the species 1-4 and one from the species 6-9. Applicant has done so in the attached. Specifically, applicant chooses species 2 and species 8, without necessarily agreeing with the examiners attribution of the species. Applicant has provided a more generic version of species 8 – to relate to measuring through an intermediate medium.

In addition, applicant has accepted another suggestion by the Examiner, namely to “serialize” the unelected species so that they depend on the elected species.

In addition, due to the Examiner’s comments, claim 1 and other independent claims have been amended to clarify that the method is applied by a device that is worn by the user and/or that the claimed device is wearable.

In summary, claims 1-5, 10-14, 17, 44-46, 49, 50, 53, 54, 65 and 71 are generic.

Claims 6-9, 15, 16, 55-58 read on the first elected species (species 2).

Claims 18-28, 41-43, 29-32, 51, 52, 59-63, 66-68, 70, 33-36, 64, 37, 48, 69, 38 and 47 were amended to dependent on (directly or indirectly) or to include the limitations related to species 2 (the first elected species) and should therefore be considered within that species.

Claims 39, 40, read on the second elected species (species 8).

New claim 73 is generic to claims 39, 40 and 72.

Claim 72 is withdrawn, unless the Examiner agrees that it can be examined with claim 73.

Claim 42 is canceled, in view of the amendment to claim 41.

In re Application of: Noam EGOZI
Serial No.: 10/526,428
Filed: February 28, 2005

Examiner: Sanjay CATTUNGAL
Group Art Unit: 3768
Attorney Docket: 39878

An early and favorable action is respectfully requested.

Respectfully submitted,

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*2 month extension of time